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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,) No. CR 11-355-PHX-JAT
Plaintiff/Respondent,) CV 12-170-PHX-JAT (LOA)

ORDER

vs.)
Juan Fernandez-Mendoza,)
Defendant/Petitioner/Movant.)

Pending before the Court is Movant's Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255 (Doc. 1). The Magistrate Judge issued a Report and Recommendation ("R&R") (Doc. 11) recommending that the Motion be denied.

Neither party has filed objections to the R&R. Accordingly, the Court hereby accepts the R&R. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985) (finding that district courts are not required to conduct "any review at all . . . of any issue that is not the subject of an objection" (emphasis added)); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*) ("statute makes it clear that the district judge must review the magistrate judge's findings and recommendations de novo if objection is made, but not otherwise" (emphasis in original)); *see also Schmidt v. Johnstone*, 263 F.Supp.2d 1219, 1226 (D. Ariz. 2003).

Accordingly,

IT IS ORDERED that the Magistrate Judge's Report and Recommendation (Doc. 11) is **ACCEPTED and ADOPTED**;

